



PATENT
Attorney Docket No. 1437

#8
6/23/04
DH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Rausch et al.
Serial No. 09/718,312
Filed November 22, 2000
For System and Method for Processing a
Signal

Examiner Nguyen, Duc M.
Group Art No. 2685
Confirmation No. 3505

RECEIVED

JUN 21 2004

Technology Center 2600

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450 Alexandria, VA 22313-1450

Declaration of Assignee Under 37 C.F.R. § 1.131

I, Kevin D. Robb, declare as follows.

1. I am an Intellectual Property Attorney for Sprint Communications Company L.P. ("Sprint"), and I am authorized to sign this Declaration, and to act, on behalf of Sprint. 37 C.F.R. § 3.73(b)(2)(i).

2. Sprint owns the entire right, title, and interest in and to U.S. Patent Application No. 09/718,312, filed on November 22, 2000 (the "Application"). The assignment from the named inventors to Sprint is recorded at reel 011343, frame 0516.

3. The claims in the Application were rejected in an Office action dated February 10, 2004, in which the following references were cited: GB Publication No. 2347319, Appel et al. ("Appel"), U.S. Patent No. 6,163,294, issued to Talbot ("Talbot"), and U.S. Patent No. 5,982,322, issued to Bickley ("Bickley").

4. This declaration is being presented under 37 C.F.R. § 1.131 to establish invention prior to the effective date of Appel (published August 30, 2000) or conception of the invention prior to the effective date of Appel (published August 30, 2000) coupled with due diligence prior to that date to a subsequent reduction to practice or to the filing of this Application.

5. Attached hereto as Exhibit A (3 pages) is an Invention Disclosure Form ("IDF") (with some portions redacted). The IDF was completed by at least one named inventor and submitted to the Sprint Law Department on or before January 6, 2000.

6. Embodiments shown in Figures 1-3 of the Application were conceived or conceived and reduced to practice at least as early as January 6, 2000. Figures substantially the same as Figures 1-2 (including all components shown in those Figures) of the Application and

Declaration of Assignee under 37 C.F.R. § 1.131

corresponding descriptions of components in the Figures and their operation were created at least as early as March 1, 2000 (the "March 1, 2000 Descriptions") (copy not included herein). The March 1, 2000 Descriptions identify at least one complete conception or conception and reduction to practice of a system and method for processing a signal as claimed.

7. A complete conception or conception and reduction to practice of at least one embodiment of a system and method for processing a signal is identified in the IDF. A complete conception or conception and reduction to practice of at least one embodiment of a system and method for processing a signal as claimed was made at least as early as January 6, 2000.

8. A complete conception or conception and reduction to practice of at least one embodiment of a system and method for processing a signal is identified in the March 1, 2000 Descriptions. A complete conception or conception and reduction to practice of at least one embodiment of a system and method for processing a signal as claimed was made at least as early as March 1, 2000.

9. From January 6, 2000, through November 22, 2000, the inventors diligently worked on preparing and finalizing materials for the Application. The Application was filed on November 22, 2000.

10. All acts relied on were carried out within the United States.

11. Fewer than all inventors may be making this Declaration under 37 C.F.R. § 1.131 if the remaining inventor(s) could not be located or reached before this Declaration was signed and/or filed. Multiple attempts were made to locate, communicate with, or otherwise reach all named inventors prior to the signing and/or filing of this Declaration.

I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Respectfully Submitted,

Date

6/8/04

By



Kevin D. Robb

Declaration of Assignee under 37 C.F.R. § 1.131



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Declaration
Under 37 C.F.R. § 1.131

We, Walter F. Rausch, Anthony A. Panella, Michael P. Denny, Harry W. Perlow, and Bryan H. Scott, declare as follows. If no signature is included herein for one or more of the named inventors in the previous sentence, see paragraph 12 of this Declaration.

1. We are named inventors for U.S. Patent Application No. 09/718,312, filed on November 22, 2000 (the "Application").

2. Sprint Communications Company L.P. ("Sprint") owns the entire right, title, and interest in and to the Application. The assignment from the named inventors to Sprint is recorded at reel 011343, frame 0516.

3. We have reviewed and understand the specification and claims in the Application.

4. We have reviewed and understand the contents of the Office action dated February 10, 2004, and the references cited therein. We have reviewed and understand in particular GB Publication No. 2347319, Appel et al. ("Appel"), U.S. Patent No. 6,163,294, issued to Talbot ("Talbot"), and U.S. Patent No. 5,982,322, issued to Bickley ("Bickley").

5. This declaration is being presented under 37 C.F.R. § 1.131 to establish invention prior to the effective date of Appel (published August 30, 2000) or conception of the invention prior to the effective date of Appel (published August 30, 2000) coupled with due diligence prior to that date to a subsequent reduction to practice or to the filing of this Application.

6. Attached hereto as Exhibit A (3 pages) is an Invention Disclosure Form ("IDF") (with some portions redacted). The IDF was completed by at least one named inventor and submitted to the Sprint Law Department on or before January 6, 2000.

Declaration under 37 C.F.R. § 1.131

7. Embodiments shown in Figures 1-3 of the Application were conceived or conceived and reduced to practice at least as early as January 6, 2000. Figures substantially the same as Figures 1-2 (including all components shown in those Figures) of the Application and corresponding descriptions of components in the Figures and their operation were created at least as early as March 1, 2000 (the "March 1, 2000 Descriptions") (copy not included herein). The March 1, 2000 Descriptions identify at least one complete conception or conception and reduction to practice of a system and method for processing a signal as claimed.

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I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Respectfully Submitted,

Date June 5, 2004

By Walter F. Rausch
Walter F. Rausch

Respectfully Submitted,

Date _____

By _____
Anthony A. Panella

Respectfully Submitted,

Date _____

By _____
Michael P. Denny

Respectfully Submitted,

Date _____

By _____
Harry W. Perlow

Respectfully Submitted,

Date _____

By _____
Bryan H. Scott

Respectfully Submitted,

Date _____

By _____
Walter F. Rausch

Respectfully Submitted,

Date 6/7/04

By 
Anthony A. Panella

Respectfully Submitted,

Date _____

By _____
Michael P. Denny

Respectfully Submitted,

Date _____

By _____
Harry W. Perlow

Respectfully Submitted,

Date _____

By _____
Bryan H. Scott

Respectfully Submitted,

Date _____

By _____
Walter F. Rausch

Respectfully Submitted,

Date _____

By _____
Anthony A. Panella

Respectfully Submitted,

Date 6-7-04

By Michael P. Denny
Michael P. Denny

Respectfully Submitted,

Date _____

By _____
Harry W. Perlow

Respectfully Submitted,

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By _____
Bryan H. Scott

Respectfully Submitted,

Date _____

By _____
Walter F. Rausch

Respectfully Submitted,

Date _____

By _____
Anthony A. Panella

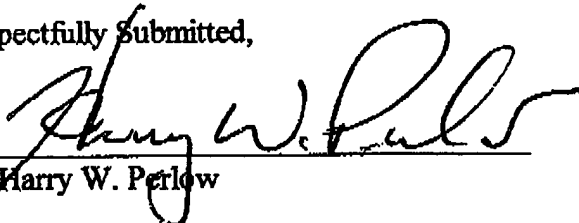
Respectfully Submitted,

Date _____

By _____
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By _____
Michael P. Denny

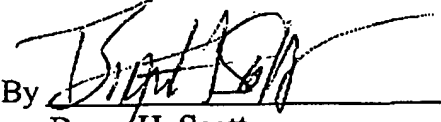
Respectfully Submitted,

Date _____

By _____
Harry W. Perlow

Respectfully Submitted,

Date _____

By  _____
Bryan H. Scott